

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

TAYLOR THURMOND,

Plaintiff,

v.

WALKER PRODUCTS, INC.,

Defendants.

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) Case No. 4:23-CV-01498-SPM
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MEMORANDUM AND ORDER

This matter is before the Court on Plaintiff's Motion for Leave to File First Amended Complaint. (ECF No. 41). The motion was filed on May 1, 2025, which is within the time set for motions for amendment of pleadings in the Amended Case Management Order. The deadline for Defendant to file a response has expired, and no response has been filed.

Under Rule 15(a)(2) of the Federal Rules of Civil Procedure, Plaintiff may amend her complaint "only with the opposing party's written consent or the court's leave." Fed. R. Civ. P. 15(a)(2). The Court "should freely give leave when justice so requires." *Id.* "Under the liberal amendment policy of Federal Rule of Civil Procedure 15(a), a district court's denial of leave to amend pleadings is appropriate only in those limited circumstances in which undue delay, bad faith on the part of the moving party, futility of the amendment, or unfair prejudice to the non-moving party can be demonstrated." *Roberson v. Hayti Police Dep't.*, 241 F.3d 992, 995 (8th Cir. 2001) (citing *Foman v. Davis*, 371 U.S. 178, 182 (1962)).

The Court finds that justice requires permitting Plaintiff leave to amend her complaint. In the proposed amended complaint, Plaintiff adds some new factual allegations and clarifies some existing factual allegations. She does not add any new parties or causes of action. The motion was

timely filed. The Court finds no undue delay, bad faith, dilatory motive, repeated failure to cure deficiencies, futility, or undue prejudice to Defendant that would justify denying leave to amend.

For all of the above reasons,

IT IS HEREBY ORDERED that Plaintiff's Motion for Leave to File First Amended Complaint. (ECF No. 41) is **GRANTED**.

A handwritten signature in black ink, appearing to read "Shirley Padmore", written over a horizontal line.

SHIRLEY PADMORE MENSAH
UNITED STATES MAGISTRATE JUDGE

Dated this 21st day of May, 2025.